

1 District Judge Barbara J. Rothstein
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12 UNITED STATES DISTRICT COURT FOR THE
13 WESTERN DISTRICT OF WASHINGTON
14 AT SEATTLE
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17 ALEMSEGHED MUSSIE TESFAMICAL,
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Plaintiff,

v.

20 CHAD WOLF, *et al.*,
21
22

Defendants.

23 CASE NO. 20-cv-0042-BJR
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JOINT STIPULATION AND
26 ORDER HOLDING CASE IN
27 ABEYANCE
28

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30 **JOINT STIPULATION**

31 Plaintiff brings this litigation pursuant to the Mandamus Act, the Administrative
32 Procedure Act, habeas corpus, the Freedom of Information Act (“FOIA”) seeking, *inter*
33 *alia*, to compel the U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate
34 Plaintiff’s I-485 application and to respond to his FOIA request. Dkt. No. 1. Defendants
35 have yet to answer the Complaint.

36 On February 5, 2020, USCIS sent out a Request for Evidence (“RFE”) to Plaintiff.
37 Plaintiff has until May 4, 2020 to respond. Plaintiff requires sufficient time to respond to
38 the RFE, and USCIS requires sufficient time to review Plaintiff’s response. In addition,
39 USCIS’s records indicate that it has responded to Plaintiff’s FOIA request, but Plaintiff
40 has not received the response. Accordingly, USCIS is in the process of obtaining

1 additional information about the FOIA response. In order to perform these actions, the
2 parties, through their counsel, jointly request that the Court hold this matter in abeyance
3 for a period not to exceed 90 days. Immigration and Customs Enforcement, absent
4 unforeseen circumstances, will not remove Plaintiff from the United States during the
5 requested stay. The parties agree that this is an acceptable timeframe, and recognize the
6 possibility that this process may moot Plaintiff's claims in their entirety.

7 Accordingly, the parties hereby STIPULATE AND AGREE, AND JOINTLY
8 REQUEST, that the Court hold this case in abeyance, and order the parties to file a joint
9 status report within 90 days after entry of the proposed Order.

10 SO STIPULATED.

11 DATED this 13th day of March, 2020.

12 BRIAN T. MORAN
13 United States Attorney

14 */s/ Michelle R. Lambert*
15 MICHELLE R. LAMBERT, NYS #4666657
16 Assistant United States Attorney
17 United States Attorney's Office
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19 Tacoma, Washington 98402
Phone: 206-428-3824
Email: micelle.lambert@usdoj.gov
20 Attorneys for Defendants

21 SO STIPULATED.

22 DATED this 13th day of March, 2020.

23 *s/ Matt Adams*
24 Matt Adams, WSBA No. 28287

25 *s/ Aaron Korthuis*
26 Aaron Korthuis, WSBA No. 53974

27 *s/ Chris Collado*
28 Chris Collado, WSBA No. 53998

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ORDER GRANTING JOINT STIPULATION AND
MOTION HOLDING CASE IN ABEYANCE
C20-0042 BJR - 3

UNITED STATES ATTORNEY
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(206) 553-7970

ORDER

The Parties having so stipulated and agreed, the Court hereby ORDERS that this action shall be held in abeyance for 90 days from the date of this Order, and the parties shall file a Joint Status Report with the Court on or before the conclusion of the 90-day period.

DATED this 13th day of March, 2020.

**DISTRICT JUDGE BARBARA J. ROTHSTEIN
UNITED STATES DISTRICT COURT**

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